

Michael R. Gordon (MG 7838)  
Rebecca L. Misner (RM 8086)  
KIRKPATRICK & LOCKHART  
PRESTON GATES ELLIS LLP  
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rebecca.misner@klgates.com

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

CALGON CARBON CORPORATION,

Plaintiff,

v.

WDF, INC., and  
SEABOARD SURETY COMPANY,

Defendants.


Index No.: 08 CIV 4407 (CM)

**NOTICE OF MOTION FOR  
ADMISSION *PRO HAC VICE***

FILED  
U.S. DISTRICT COURT  
2008 MAY 19 PM 4:11  
S.D. OF N.Y.

Calgon Carbon Corporation ("Calgon"), through its attorneys, hereby applies to this Court for an Order pursuant to Local Rule 1.3(c) admitting Joseph L. Luciana, III *pro hac vice* for all purposes in this matter. In support of its application, Calgon relies upon the Affidavit of Rebecca L. Misner, sworn to on May 16, 2008 ("Misner Affidavit") attached hereto, the Declaration of Joseph L. Luciana, III, dated May 15, 2008, attached as Exhibit A to the Misner Affidavit, and the Certificate of Good Standing of Joseph L. Luciana, III, attached as Exhibit B to the Misner Affidavit.

KIRKPATRICK & LOCKHART PRESTON  
GATES ELLIS LLP



Dated: New York, New York  
May 16, 2008

Rebecca L. Misner (RM 8086)  
Michael R. Gordon (MG 7838)  
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*Attorneys for Plaintiff Calgon Carbon  
Corporation*

To: Becky Tung, Esquire  
Counsel  
WDF, Inc.  
30 N. McQuesten Parkway  
Mt. Vernon, NY 10550

Seaboard Surety Company  
One Tower Square  
Hartford, CT 06183

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-----X

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**AFFIDAVIT OF REBECCA L. MISNER  
IN SUPPORT OF *PRO HAC VICE*  
ADMISSION OF JOSEPH L.  
LUCIANA, III**

STATE OF NEW YORK     )  
                                      ) ss.  
COUNTY OF NEW YORK    )

Rebecca L. Misner, being duly sworn, deposes and says:

1.     I am an attorney duly admitted to practice before the courts of this State and I am an associate with the law firm of Kirkpatrick & Lockhart Preston Ellis Gates LLP, counsel for the Plaintiff Calgon Carbon Corporation (“Calgon”) in this action.

2. I respectfully submit this affidavit in support of the motion to admit my colleague Joseph L. Luciana, III, Kirkpatrick & Lockhart Preston Gates Ellis LLP, 535 Smithfield Street, Pittsburgh, PA 15222, *pro hac vice*.

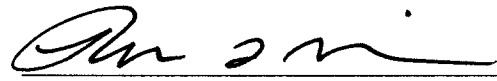
3. Calgon request that Joseph L. Luciana, III appear on their behalf in this action. Mr. Luciana is familiar with Calgon and the facts at issue in the above-captioned matter and is a member in good standing of the Bar of the Commonwealth of Pennsylvania.

4. I attach hereto as Exhibit A the declaration of Joseph L. Luciana, III executed on May 15, 2008.

5. I attach hereto as Exhibit B a copy of the Certificate of Good Standing issued to Mr. Luciana on May 14, 2008.

WHEREFORE, it is respectfully requested that the motion to admit Joseph L. Luciana, III *pro hac vice* be granted.

Dated: New York, New York  
May 15, 2008



Rebecca L. Misner

Sworn to and subscribed before  
me this 16 day of May \_\_, 2008.

  
Notary Public

DEBORAH JEAN CERIA MEYERS  
Notary Public, State of New York  
No. 31-4831744  
Qualified in New York County  
Commission Expires September 30, 2009

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Michael R. Gordon (MG 7838)  
Rebecca L. Misner (RM 8086)  
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**DECLARATION OF JOSEPH L.  
LUCIANA, III, IN SUPPORT OF  
MOTION FOR *PRO HAC VICE***

COMMONWEALTH OF PENNSYLVANIA               )  
  ) ss.  
COUNTY OF ALLEGHENY                         )

Joseph L. Luciana, III, being duly sworn, deposes and says:

1. I am an attorney with the law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP, Henry W. Oliver Building, 535 Smithfield Street, Pittsburgh, PA 15222-2312, counsel for the Plaintiff Calgon Carbon Corporation (“Calgon”).

2. I am familiar with the facts of this case and I make this Affidavit in support of my application to be admitted *pro hac vice* for the purpose of representing Calgon in the above-captioned matter.

3. I am admitted to practice law in the Commonwealth of Pennsylvania and I am a member in good standing of the Bar of the Commonwealth of Pennsylvania, as demonstrated by the Certificate of Good Standing submitted herewith.

4. I am not now, nor have I ever been, held in contempt, censured, suspended, or disbarred by any court.

5. I have read and am familiar with the rules of this Court. I will abide by them and by any other restrictions which the Court may find appropriate.

By: \_\_\_\_\_

Joseph L. Luciana, III

Sworn to and subscribed before  
me this 5<sup>th</sup> day of May, 2008

Carol L. Myers  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Carol L. Myers, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires June 19, 2010  
Member, Pennsylvania Association of Notaries



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Joseph Leonard Luciana, III, Esq.***

**DATE OF ADMISSION**

***November 18, 1987***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: May 14, 2008**

A handwritten signature in cursive script, reading "Patricia A. Nicola".

Patricia A. Nicola

Chief Clerk

Michael R. Gordon (MG 7838)  
Rebecca L. Misner (RM 8086)  
KIRKPATRICK & LOCKHART  
PRESTON GATES ELLIS LLP  
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**ORDER GRANTING *PRO HAC VICE*  
ADMISSION OF JOSEPH L.  
LUCIANA, III**

Upon consideration of the Plaintiff Calgon Carbon Corporation's Motion for the *pro hac vice* admission of Joseph L. Luciana, III, Esq. dated May 15, 2008, the Affidavit of Rebecca L. Misner, sworn to May 16, 2008, the Declaration of Joseph L. Luciana III dated May 15, 2008, and the Certificate of Good Standing issued to Mr. Luciana on May 14, 2008, and good cause having been shown, it is hereby:

ORDERED, that Joseph L. Luciana, III be, and hereby is, granted *pro hac vice* admission pursuant to Local Rule 1.3(c) for all purposes in this action.

Dated: \_\_\_\_\_, 2008

\_\_\_\_\_  
United States District Judge

Michael R. Gordon (MG 7838)  
Rebecca L. Misner (RM 8086)  
KIRKPATRICK & LOCKHART  
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**AFFDAVIT OF SERVICE**

STATE OF NEW YORK     )  
                                  ) ss:  
COUNTY OF NEW YORK )

Deborah J. Meyers, being duly sworn, deposes and says:

1. I am not a party to this action and I am over 18 years of age.
2. On the 16<sup>th</sup> day of May, 2008, I caused to be served a true copy of the

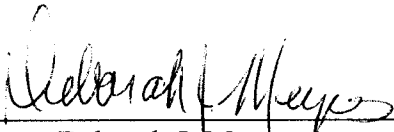
following document in the manner described below:

**Documents Served:** Notice of Motion for Admission *Pro Hac Vice* of Joseph L. Luciana, III

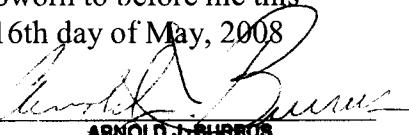
**Served Upon Via First Class Mail:**

Becky Tung, Esquire  
Counsel  
WDF, Inc.  
30 N. McQuesten Parkway  
Mt. Vernon, NY 10550

Seaboard Surety Company  
One Tower Square  
Hartford, CT 06183

  
Deborah J. Meyers

Sworn to before me this  
16th day of May, 2008

  
ARNOLD J. BURROS  
Notary Public, State of New York  
No. 41-4720413  
Qualified in Queens County  
Certificate Filed in New York County  
Commission Expires March 30, 2012